

CERTIFICATE OF FAXING

I hereby certify that this correspondence is being facsimiled to Special Program Examiner Julie Burke whose fax number is 1703 308-7230 and to Examiner Marianne DiBrino whose fax number is 1703 872-9306 at the Commissioner of Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on December 17, 2003, By Fani Malikouzakis

Signature: Fani Malikouzakis

LUD 5531.1 DIV(10101429)

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DEC 17 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Thierry Boon-Falleur, et al.
Serial No. : 09/782,745
Filed : February 13, 2001
For : ISOLATED NUCLEIC ACID MOLECULES WHICH
ENCODE GAGE GENES AND USES THEREOF
Group Art Unit : 1644
Examiner : Marianne DiBrino

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 17, 2003

**RESPONSE TO DECISION ON PETITION
AND TO ADVISORY ACTION**

Sir:

The Decision on Petition, dated December 5, 2003, gave applicants a two-month period to respond, i.e., request reconsideration. The Decision states:

"Absent a statement from applicant, which clearly sets forth that SEQ ID NOS: 14, 15, 16, 17, and 18 are not patentably distinct, one from another, these inventions will be considered patentably distinct."

In response, applicants now hereby state that SEQ ID NOS: 14, 15, 16, 17, and 18 are not patentably distinct. As such, SEQ ID NOS: 15, 16, 17, and 18 should be examined.

It is unclear which time frame applies for response. As noted, supra, the Decision on Petition set forth a 2-month period for response, so the due date would be February 5, 2004.

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